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Philips Electronics

Law Department

March 28, 1994

VIA FACSIMILE AND U.S. MAIL

Chief, Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611
Ben Franklin Station
Washington, D.C. 20044
Attention: Frank Bentkover

Chief, Emergency Response Branch
HSE - 5J
Office of Superfund
United States Environmental Protection Agency
Region V
77 West Jackson Boulevard
Chicago, Illinois 60604-3590
Attention: Elizabeth Murphy

Re: United States v. The Selmer Company, et al.
Civil Action No.: S89-00348

Dear Frank and Liz:

On behalf of North American Philips Corporation (now known as Philips Electronics North America Corporation) and The Selmer Company, I am writing in reference to Paragraph V.B.9 of the Consent Decree concerning Residential Water Connection. Under this provision, Defendants are obligated to provide "municipal water to residences with drinking water wells along Outer Drive, from Middlebury Street to Toledo Road in Elkhart, Indiana."

Attached hereto is a table which was prepared by our consultant in this matter, W W Engineering & Science, listing the tasks Defendants have completed and what remains to be completed pursuant to this section of the Consent Decree. We are currently in the process of preparing access agreements between Defendants and the affected individual homeowners. It is unpredictable, however, how long it will take for all homeowners to enter into these agreements. W W Engineering has advised us that once these access agreements are secured, it will be able to complete the remaining tasks (as listed on the attached table) with respect to the residential water connection within four months.

Philips Electronics North America Corporation

100 East 42nd Street
New York, NY 10017-5699

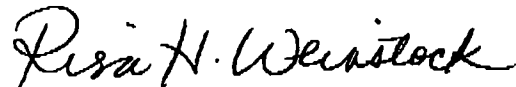
Telephone: (212) 850-5000
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We are writing to inform you that while Defendants have proceeded to "arrange for, pay for and be responsible for" these tasks, they will not be completed within six (6) months from the date of the entry of the Consent Decree. We hereby request an extension of six months to complete the tasks outlined in Paragraph V.B.9. According to Scott Dennis of W W Engineering & Science, Ken Thelson did not think that a request for an extension of this deadline would be problematic.

If you have any questions concerning this matter, please do not hesitate to contact me or Linda Bullen.

Sincerely,



Risa H. Weinstock
Senior Counsel

RHW:ms

cc: Linda Bullen, Esq.
Scott Dennis
Ann Pizzorusso

**Attachment A
Proposed Water main in Outer Drive
Elkhart, Indiana**

Sequence of Events Completed

October 18 through 27, 1993 -- Performed Field Survey of the project limits including the Outer Drive right-of-way between Middlebury Street(County Road 14) and Toledo Road(US 20).

November 2, 1994 -- Meeting with the City of Elkhart officials to present the intent of the project and clear up any potential project concerns.

January 10, 1994 -- Preliminary plan and technical specifications sent to the City of Elkhart for their review and comments.

January 24, 1994 -- Preliminary plan and technical specifications sent to the Elkhart County Highway Department for their review and comments.

February 15, 1994 -- Forwarded Elkhart County Utility Agreements to the City for review and comments

February 18, 1994 -- Received plan review comments from the Elkhart County Department of Public Services - Engineering Division.

March 1, 1994 -- Received Review comments from the City of Elkhart.

Anticipated Events to Complete the Project After Access Agreements are Obtained from Property Owners

Obtain final approval of the "three way" Utility Agreement

Obtain final plan and Technical specifications approval for the water main from both the City and the County

City to apply for the InDOT and the IDEM permits.

Receive the necessary permits.

Begin Construction.

Finalize construction and turn over the water main to the City.

Note: It will require approximately four months to complete these six anticipated tasks.